followed this rule, in enjoining the business from being set up, as it would in fact derogate from the grant of good will. However, courts in other states would have enjoined the defendant's representation that he was conducting the old business. *Hall's Appeal, supra.* It is submitted that all the courts will grant an injunction wherever there is in fact a derogation from the good will, but disagree as to what constitutes such a derogation.

HUSBAND AND WIFE—ESTATES BY ENTIRETIES.—A deed was executed to husband and wife. *Held,* one judge dissenting, an estate by entirety was created, and not a tenancy in common. *Odum* v. *Russell* (N. C. 1919) 101 S. E. 495.

An estate by entirety arises only from a conveyance or devise to husband and wife. 2 Reeves, Real Property, § 688. The dissenting judge contended that section 1579, N. C. Rev. Stat., 1908, which provides that all property conveyed to any two persons shall be held by them as tenants in common and not as joint tenants, abolished estates by entireties. The answer to this contention is that husband and wife are but one person in contemplation of law. 1 Bl. Comm. 442. Furthermore, an estate by entirety is not a joint tenancy, for tenants by entireties are seised *per tout et non per my,* while joint tenants are seised *per tout et per my.* 2 Bl. Comm. 182; see *Alles* v. *Lyon* (1907) 216 Pa. St. 604, 606, 66 Atl. 81. And so the great weight of authority holds that statutes abolishing joint tenancy have not affected estates by entireties. *Davies* v. *Johnson* (1906) 124 Ark. 390, 187 S. W. 323; see *Wilson* v. *Frost* (1904) 186 Mo. 311, 319, 85 S. W. 375; *contra, Hoffman* v. *Stigers* (1869) 28 Iowa 302. The dissenting judge also argued that the provision in the Constitution of North Carolina (1868) Art. 10, § 6, that all property of a married woman, whether acquired before or after marriage, should be and remain her sole and separate property, was inconsistent with the existence of estates by entireties, which originated in the legal unity of husband and wife. 2 Bl. Comm. 182; but see *Freeman* v. *Belfer* (1917) 173 N. C. 581, 582, 92 S. E. 486. The common law disability of a married woman was thoroughly in accord with this fiction of unity. But since the Married Women's Acts have given a *feme covert* practically the same powers of disposition and control of her property as a *feme sole,* it would seem that they have abolished estates by entireties inferentially. *Gill* v. *McKinney* (1918) 140 Tenn. 549, 205 S. W. 416; *Mittel* v. *Karl* (1890) 133 Ill. 65, 24 N. E. 553. The weight of authority, however, is *contra. Hiles* v. *Fisher* (1895) 144 N. Y. 306, 39 N. E. 337; *Meyer's Estate* (1911) 232 Pa. St. 89, 81 Atl. 145.

INJUNCTION—BILL TO QUIET TITLE—PENDING EJECTMENT ACTION.—Under a statute authorizing courts of equity to hear and determine suits instituted by any person claiming the legal or equitable title to lands against any other person not in possession setting up an adverse claim, *held,* that if the plaintiff is at the time a defendant in a suit of ejectment with regard to the same land, he cannot maintain a bill to enjoin the litigation and quiet title. *Carpenter* v. *Dennison* (Mich. 1919) 175 N. W. 419.

In cases of the above type and in the closely analogous cases where a defendant requests the cancellation of written instruments on which an action at law is pending, the courts of equity have adopted three courses. The bill has been dismissed on the ground that equity would